

**CITY OF ISSAQUAH
DEVELOPMENT SERVICES DEPARTMENT
ADMINISTRATIVE REVIEW**

NOTICE OF DECISION

TO: Michael Capelouto
18503 NW Montreux Dr.
Issaquah, WA 98027

SUBJECT: Capelouto Short Plat

APPLICATIONS: SP14-00001 (Short Plat)
ASDP14-00006 (Administrative Site Development Permit)
AAS14-00004 (Administrative Adjustment of Standards: Setbacks)

DATE OF DECISION: April 16, 2015

REQUEST: An Administrative Site Development Permit has been submitted for the construction of two (2) duplex buildings for a total of four (4) dwelling units to be placed on two lots zoned "SF-D" (Single Family – Duplex). On the third lot is an existing single family house and the detached garage is proposed to be demolished, but there are currently no redevelopment plans proposed for this lot.

An Administrative Adjustment of Standards is requested to reduce the front yard setback on the northern lot facing SE Andrews St. (Lot A) from ten (10) feet to six (6) feet as the duplex will be designed with the front of the units facing the easterly side yard.

A Short Plat subdivision is requested to divide the existing two (2) lots into three (3) lots to allow two (2) new duplexes on two (2) of the three (3) lots. The two (2) new duplexes will have access to the north along SE Andrews St. and the third lot will have access to the south off of SE Bush St.

LOCATION: The project is located at 560 SE Bush St., in the "Olde Town" Subarea. See Vicinity Map, Exhibit 4.

SUBAREA MAP: The project is located with the "Olde Town" subarea of the Issaquah Comprehensive Plan, as amended January 16, 2011.

LEGAL DESCRIPTION: Lots 1 and 2, Issaquah Short Plat No. 83-05 and PLN05-00028 (easterly lot line of the subject short plat only).

KING COUNTY PARCELS: 3424069169
3424069160

- ZONING:** "SF-D" (Single Family Duplex)
- COMPREHENSIVE PLAN:** "Low Density Residential". The site is located outside of the boundary designated for "Olde Town Design Standards".
- SITE AREA:** 18,332 square feet (0.42 +/- acre)
- EXISTING LAND USE:** The property is currently developed with an older one (1) story single-family house with a detached garage. A site survey of the property including identifying the existing house and garage and significant trees on the property was provided on a short plat drawings, Exhibit 12.
- Properties surrounding the subject site are developed with a mix of single family and duplex dwellings.
- DECISION MADE:** On April 16, 2015, the Development Services Department conditionally approved the three (3) lot Short Plat, Administrative Site Development Permit and Administrative Adjustment of Standards for Setbacks for the above proposal. Approval of this application is based on the submittal of March 25, 2014, and additional information provided thereafter, Exhibits 1 through 15, and approval is subject to the following conditions:

SHORT PLAT:

1. Prior to the submittal of Mylars for recording the applicant shall provide one Plat Certificate or Title Report of subject property to confirm ownership, easements and encumbrances.
2. Correct the record number in the Survey Note on Sheet 1 to show 20130905900007. The record number shown on the proposed plat is incorrect.
3. The Planning file number shall be placed on both mylar sheets. The short plat file number is: SP14-00006.
4. Following expiration of the appeal period of this Notice of Decision, provide the City with a mylar copy of the approved short plat. Upon City signature of the Mylar, the applicant shall record the approved Short Plat with the King County Department of Records and Elections. The Short Plat shall not be deemed formally approved until so filed.
5. Three copies of the recorded Short Plat drawings shall be provided to the Development Services Department within ten (10) days of recording with the King County Department of Records and Elections.
6. One (1) electronic copy of the final plans shall be provided in a software format acceptable to the Public Works Department.
7. All new property corners of the lots shall have a rebar and cap set per current WAC guidelines for land surveys.

ADMINISTRATIVE SITE DEVELOPMENT PERMIT & ADJUSTMENT OF STANDARDS:

8. Construction permits shall be issued prior to the start of construction of the duplexes dwellings, including a Building Permit(s), Site Work Permit and Landscape Permit. All conditions of those permits shall be complied with.
9. A Site Work Permit shall be submitted and shall include right of way improvements, right of way landscaping and utilities both on-site and in the right of way. The Site Work Permit shall incorporate any applicable conditions in this decision.
10. A Landscape Permit shall be submitted with the revised landscape plans and shall incorporate any applicable conditions in this decision and include all of the requirements set forth in IMC 18.12.050 Landscape, tree, and irrigation plans, 18.12.140 Landscape standards and specifications, 18.12.141 Tree plan requirements and 18.12.145 Irrigation water budgeting requirements. The final landscape and irrigation installation shall be approved prior to temporary or permanent Certificate of Occupancy.
11. The new lot is not created and the second duplex cannot be constructed until the short plat is filed. The Site Work Permit is required to be inspected and the work accepted or the permit work must be bonded in order to file the short plat. The applicant may choose to complete the improvements in the Site Work Permit and once the City has inspected and accepted those improvements, the short plat may be filed. The applicant may also choose to provide a performance bond for the improvements in the Site Work Permit. If the applicant chooses to provide a performance bond for the improvements in order to file the short plat, a cost estimate for the work to be bonded is required for review and approval prior to submitting the bond. Once a cost estimate is approved, the applicant may submit the bond. A cost estimate cannot be submitted until the Site Work Permit has been reviewed and approved by the City. In order for the bond to be released the applicant must complete the permit work and provide a maintenance bond or warranty as applicable. The maintenance bond, security and warranty will be required as an inspection punchlist item for the respective permit ,as applicable. The following list of bonds are provided in order to provide notice to the applicant about what bonds are required or elective and the bond amount:
 - a) Required: Prior to issuance of the Final Certificate of Occupancy, a landscape maintenance cash deposit or other acceptable security worth 50% of the value of the landscaped material, cost of labor, irrigation and materials shall be posted with the City for a period of three (3) years as required by the landscaping code, IMC chapter 18.12.160(A)(2). In addition, all landscaping shall be maintained in a safe, healthy and attractive manner, and kept free of weeds and litter, and the plant materials shall be maintained in a good growing condition in perpetuity.
 - b) Elective: If the applicant wishes to file the plat prior to acceptance of the right of way improvements, a security (Performance Security) is required per IMC 12.12.100 to guarantee the performance of, or corrections to, permitted roadway work. When constructing new roadway, or reconstructing or adding to an existing roadway within City right-of-way, the amount of security shall cover the City's cost to perform the necessary work but shall equal not less than 120% of estimated total construction cost; or if not specified, be at the discretion of the City. When performing work within city right-of-way other than constructing new roadway, or reconstructing or adding to an existing roadway the types of securities required include a cash deposit up to the first \$25,000 of required security and the balance may be, but are not limited to, additional cash deposits, assigned savings account letters of credit, loan proceeds and bonds. Securities shall be processed for release by the City upon written final acceptance of the improvements and the plans have been certified "As-Built" record drawings by the Professional Engineer of

Work/Record and the Record Drawings approved by the City, all final reports submitted and approved as required and the Warranty Security is posted.

- c) Required: A security (Warranty Security) is required during the warranty period to insure adequate funds for the City to perform the necessary warranty work should the developer not do so for improvements against any defective work or labor done or defective materials used in the performance of the improvements throughout the warranty period. The warranty period shall be of one year following completion and acceptance of the improvements unless a longer warranty period is required by the City Engineer. This security shall be not less than 30% of the total construction cost of the public facilities accepted by the City and posted prior to the Performance Security release.
12. The right of way landscape is not approved as proposed. A Landscape Permit shall be submitted with revised landscape plan and shall meet the City's Street Standards as shown on Landscape Standards Details L-01, 2, 3, and 4. It shall include three (3) trees and groundcover in the planting strip.
 13. The proposed site plan does not show the sewer connection for Lots A and B through Lot C to SE Bush St. The sewer line connection to SE Bush shall be shown on the Site Work Permit to include any portion of work on Lot C per the City's Sewer Standards.
 14. The main building walkway shall terminate at the beginning of right of way, specifically the sidewalk and not the curb, as shown in the site plan.
 15. A Street Use Permit is required for any construction activity taking place on City-owned right-of-way.
 16. Payment of Impact Fees will be required with the issuance of the Building Permit(s) based on the new dwelling units proposed. The impact fees assessed will include: Transportation Impact Fee, School Impact Fee, Parks Impact Fee and Fire Impact Fee; based upon the impact fee schedule in effect at the time of Building Permit issuance, except as required per Ordinance 2733 related to Transportation Concurrency Section 9. Credit for the existing single family home will assessed when Lot C is redeveloped.
 17. In accordance to Building Department review:
 - a) An asbestos survey must be conducted by an AHERA - certified building inspector and filed with the Puget Sound Clean Air Agency (206-515-2800).
 - b) A Notice of Intent MUST be filed with the Puget Sound Air Pollution Control Agency prior to any demolition work being done. A copy of the Notice of Intent must be kept on site and be available for review by inspection personnel.
 - c) All asbestos must be removed prior to demolition.
 - d) A foundation soils report by a licensed WA state geotechnical engineer will be required at the time of building permit submittal. A peer review of the submitted soils report by a second engineer may be required on some sites.
 18. In accordance with Fire Department review:

- a) Approved addresses shall be provided for all buildings in such a position as to be plainly visible and legible from the street or road fronting the property, specifically on Lot A and not right of way. An address monument sign is required for Lot B. The location of the monument shall be noted on the site plan in the building permit for the duplex on Lot A and B.
- b) International Fire Code states - Approved fire apparatus access road shall extend to within 150' of all portions of the 1st floor exterior walls. This 150' dimension is allowed to be increased if the home has a fire sprinkler system. Unit four (4) , as proposed on Lot B, exceeds the 150' maximum allowed. Either relocate the home on the lot so the 150' dimension is met or install a fire sprinkler system.
- c) One and two family dwelling structures that exceed 5000 sq. ft. (this number includes the garage) shall have fire sprinklers installed per NFPA 13-D as per city ordinance. A Fire Permit is required.

19. In accordance with Public Works Operations Department review:

- a) A utility plan sheet shall be included in the Site Work Permit to include water, sewer and storm line work and any pertinent details.

20. Any outdoor lighting shall meet the requirements of the Washington State Energy Code. All outdoor lighting will also need to comply with the requirements of the Outdoor Lighting standards of the Land Use Code, Chapter 18.07.107.

21. Care to protect the trees on the adjacent site must be taken when installing any underground utilities and plantings as their driplines may extend onto the subject property. The City shall approve the route of any trenching or excavations. Excavations are not allowed within the dripline of a tree or within fifteen (15) feet of its trunk whichever is greater for trees on adjacent properties whose dripline is on the subject property, which would include excavations associated with the proposed drywells and new landscaping. The Landscape Permit should delineate construction zone limits and provide a protection program defining construction methods that will be incorporated to protect trees and other vegetation during and after construction. Methods should include but not be limited to barriers, signs, soil stabilization and contractor notices. Protection of adjacent trees shall also include chain link or similar fencing set at the drip line of the trees or within fifteen (15) feet of the trunk whichever is greater and no disturbance or storage of construction materials is allowed within the drip line. Tree protection must be in place prior to construction or demolition activities. No trees are to be damaged or removed except as shown on the approved plans. The proposed development plans effect the 44 inch d.b.h. evergreen on Lot B and the fourteen (14) inch d.b.h. deciduous on Lot A. No development plans, except the demolition of the house, have been proposed for Lot C. Tree retention for Lot C shall be reviewed with the redevelopment plans for Lot C.

22. Utility appurtenance locations that were not shown in the site plan are not approved at this time and if visible from the street shall require screening.

23. Per the Design Standards CPTED Criteria Checklist (18.07 IMC) the current configuration of landscape, including trees and shrubbery adjacent to the sidewalk and main building walkway, is not approved as proposed. Landscaping in the front yard directly adjacent to the main building walkway of lot A and adjacent to the main building entries shall be low, less than three (3) feet in height, to provide maximum visibility from the front of the homes to the street. Additionally, the current configuration of landscape in the front yard of Lot A does not

adequately screen the blank wall on the north elevation closest to the street of the duplex on Lot A. Modulation or some similar treatment is required for the blank wall as required by IMC 18.12.135 Additional landscape requirements for blank walls abutting public right-of-way. If landscaping is going to be used to screen the blank wall, it shall be located adjacent to the blank wall, provide coverage to the entire first level blank wall, and provide year round coverage through the use of evergreen trees and plants.

24. The tree replacement rate for the removal of 58 inches is one (1) tree for every six (6) inches removed for a total of ten (10) trees. The minimum tree density for each lot is three (3) trees at two (2) trees per every 5,000 square feet. The number of trees that are required to be planted on each lot is required to meet the minimum tree density and the replacement rate.
25. All trees proposed in the landscape plans shall be at least six (6) inches or greater d.b.h. at maturity,
26. A Plumbing Permit will be required if an underground irrigation system for the landscaping is installed.
27. Construction shall be limited to Monday through Friday, except holidays. Hours of operation shall be 7:00 AM to 6:00 PM or as otherwise approved by the Development Services Department.
28. Redevelopment of Lot C will require full compliance with all development standards in place at the time of redevelopment. The required right of way improvements shall be evaluated based on the proposed redevelopment on Lot C.

REASONS FOR DECISION: SHORT PLAT:

1. Issaquah Municipal Code (IMC) 18.04.400 of the Land Use Code authorizes the Development Services Department to review the Short Plat through the Level 2 Review process (administrative review and approval). The Level 2 Review requires public notice to property owners within 300 feet of the site and a decision by the Development Services Department.
2. The property is zoned Single Family-Duplexes Suburban (SF-D). Duplex dwellings and single family dwellings are a permitted land use in this zone. The subject property is currently developed with a single family house and a detached garage that will be demolished. The applicant desires to subdivide the property into three (3) lots which will then allow a duplex on two (2) of the three (3) lots. No development plans have been provided for the third lot other than the demolition of the existing house.
3. The easterly property line of this short plat was established with the short plat of the lots directly east of the subject property, PLN05-00028.
4. The minimum lot size in the SF-D zone is 6,000 square feet according to the District Standards Table, IMC 18.07.360.
5. SEPA: Short plats are exempt from SEPA review as a minor land use decision, per WAC 197-11-800(6) and an Environmental Checklist is not required. This exemption only applies if there are no critical area impacts.
6. Review procedures: Review procedures are established under Chapter 18.13.370. The short plat is required to be revised under a Level 2 process per IMC 18.04.370,

administrative review and with public notice to property owners within 300 feet of the site. The proposal met the public notification requirements (for notice of application and public comment notice) for the Level 2 Short Plat review. A notice of the short plat subdivision including maps of the property was mailed to surrounding property owners within 300 feet of the site on June 17, 2014, and a two (2) week comment period was provided. The comment period ended on July 2, 2014. Public comments were received regarding the short plat proposal. Four (4) letters of comments were received regarding the development of the property, refer to Exhibits 8, 9, 10, 11.

7. The proposal is consistent with the requirements of the Transportation Concurrency Management Code (IMC Chapter 18.15). No further review for transportation was required for the short plat proposal.
8. The Subdivision Code, stating with Chapter 18.13.020-E (Scope), establishes the Short Plat regulations that apply to land being divided into four (4) or fewer lots and which have not been divided as part of a Short Plat within a period of five years previously. The subject property has not been subdivided within the last five (5) years.
9. The Short Plat must meet the requirements of IMC 18.13.380 "Design Standards":

A. *Lands which the Planning Director/Manager has found to be unsuitable due to flood, inundation, or swamp conditions likely to be harmful to the safety, welfare and general health of the future residents, and the Planning Director/Manager considers inappropriate for development, shall not be subdivided unless adequate means of control have been formulated by the applicant and approved by the Public Works Director.*

Response: The site does not contain "critical areas" that make the property unsuitable for subdividing and further development.

B. *The applicant shall furnish a soil test if required by the Public Works Director. The Public Works Director shall determine whether control measures are warranted. The applicant shall be responsible for the design, installation and expense of any device or corrective measures subject to the approval of the Public Works Director.*

Response: A soils test was not required for the Short Plat. The property is already developed with a single family dwelling. A soils report will be required with the Building Permit for the new dwellings.

C. *All lots shall abut upon or have adequate access, by easement or private road, to a dedicated or deeded public right-of-way. In the event that an existing abutting public right-of-way does not meet the minimum width standards, additional right-of-way may be required prior to approval of a short subdivision.*

Response: Two (2) of the lots, A and B, will have direct access onto SE Andrews St. to the north and one of the lots, Lot C, will have access to SE Bush St. to the south, all public rights-of-way. The internal lot, Lot B, shall have access reserved across Lot A in order to obtain access to SE Andrews St. The Development Services Department has determined that additional street and utility improvements are required for the Short Plat, including curbs, gutters, landscaping and sidewalks along SE Andrews St. Some additional street paving will also be required as half street improvements fronting the property. The required right of way improvements for Lot C shall be evaluated based on the proposed redevelopment on Lot C.

- D. *The minimum land area for each lot shall be no less than the minimum allowed by this Code (District Standards Table, IMC 18.07.360) for the specific zone in which the proposed short subdivision is planned to be located, plus any additional area to be used for access easement and/or private roadway.*

Response: The proposed lots will meet the minimum lot size of 6,000 square feet. The short plat will place each duplex on its own lot.

Lots	Lot Area
MINIMUM LOT AREA	6,000 square feet
Lot A	6,206 square feet
Lot B	6,057 square feet
Lot C	6,069 square feet

10. The proposed Short Plat will create three lots as identified on the Short Plat site drawings, Exhibit 12). The property is currently developed with a single family house and a detached garage that proposed to be demolished. Non-buildable lots are not being created with the short plat.
11. The SF-D zoning of the property allows a maximum impervious surface ratio of 50% on each lot. The lots within the short plat when developed with dwellings will have a pervious ratio of approximately 51.46% for Lot A and 50.53% for Lot B and an impervious surface ratio of 49.47% for Lot A and 48.54% for Lot B. Building Permit submittals for the two buildings shall provide confirmation of the pervious/impervious surface ratios. Lot C, the lot the existing dwelling resides on, contains approximately 36.41% impervious surface and 63.59% pervious surface; additionally, any redevelopment of this lot will require full compliance with impervious and pervious surface requirements at the time of redevelopment.
12. All three lots have acceptable access for ingress and egress. The property is bounded to the south by SE Andrews St. and to the north by SE Bush St. There are existing residential properties to the east and west of the subject property. Two of the duplexes on Lot A will have driveway access from SE Andrews St. and the other two units on Lot B will share access with Lot A through an access and utility easement on Lot A to SE Andrews St. Lot C has direct access from SE Bush St.
13. The property does not contain Critical Areas that make the property unsuitable for the short plat subdivision.
14. IMC 18.13.390 "Required Improvements" states that the Planning Director/Manager shall determine that the following improvements are available for each parcel created by the division of land:

A. *Adequate water supply when necessary;*

Response: The three lots are adequately served by City water. An existing water service line runs down SE Andrews St.

B. *Adequate method of sewage disposal;*

Response: The three lots are adequately served by City sewer. An existing sanitary

sewer runs line down SE Andrews St.

C. *Provision for appropriate deed, dedications and easements;*

Response: No additional dedication is required.

D. *Storm drainage improvements and storm sewers when necessary;*

Response: Storm water drainage will collected in drywells proposed on Lots A and B. A storm water line also runs down SE Andrews St.

E. *Fire hydrants when necessary;*

Response: Adequate fire hydrants are available.

F. *Street and alley paving, and concrete curbs, gutters and sidewalks when necessary;*

Response: Curb, gutter, landscape and sidewalk will be constructed along SE Andrews St fronting the subject property. The required right of way improvements adjacent to Lot C shall be evaluated based on the proposed redevelopment on Lot C.

G. *Street lights when necessary;*

Response: No additional street lighting is required for the short plat.

H. *Adequate provisions for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.*

Response: The proposed short plat will be adequately served by Issaquah schools and City parks, including Clark Elementary School to the south, and Tiger Mt. High, Issaquah High School and Issaquah Middle School also to the south.

Summary: The proposal meets the short plat requirements, A – H, as discussed above.

15. The City has determined that appropriate provisions are available or have been made for public health, safety, and general welfare.
16. The application was routed to City Departments for review and comment. Those comments are incorporated into this Notice of Decision.
17. In accordance to IMC 18.13.400, all short plats shall be filed with the King County Department of Records and Elections and shall not be deemed formally approved until so filed. The filing of the short plat shall be the responsibility of the applicant. Every short plat filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on the short plat is in the name of the applicant (entered as Exhibit 7). A copy of the recorded plat shall be returned to the Issaquah Permit Center within ten (10) days of recording along with an electronic copy in a format acceptable to the Public Works Department.

REASONS FOR DECISION: ADMINISTRATIVE SITE DEVELOPMENT PERMIT:

1. The City of Issaquah Land Use Code authorizes the construction of duplexes to be reviewed as a Level 2 Administrative Site Development Permit (ASDP). A duplex is a

Level 2 Review permitted use in the SF-D zone according to the Land Use Table, IMC 18.06.130.

2. The subject site is zoned "SF-D" (Single Family - Duplex), according to the City's Zoning Map. This zone allows a duplex on a lot having a minimum of 6,000 square feet of property.
3. The Comprehensive Plan Land Use Designation Map of this site (as amended January 16, 2011 by Ordinance 2643) is classified as "Low Density Residential" with a Subarea designation as "Olde Town." The zoning of the site (SF-D) and the Comprehensive Plan are in compliance with each other. This is an area that is targeted for redevelopment and additional growth. The neighborhood is a mix of both single family and duplex dwellings.
4. The site is not constrained by "Critical Areas" such as steep slopes, creeks and wetlands that are protected with buffers and setbacks. The site is a flat parcel that currently contains a single family house and a detached garage. The property is being re-developed with the construction of 2 new duplexes (as single family attached units) for a total of four (4) dwelling units. The older single family house on the property will be demolished. There are no proposed redevelopment plans at this time for Lot C.
5. The four (4) new dwelling units within the two duplexes were determined not to require an environmental SEPA Checklist. The project is Exempt from the requirements of SEPA per WAC 197-800(1)(b)(i).
6. For Transportation Concurrency purposes, the proposed development generates 3.12 net new trips. The trip generation rate used is .78 new trips per new unit (ITE Land Use Code 231 Condo/Townhome/Duplex).
7. Impact fees are required to be paid at the time the Building Permit is issued for the following impacts: Transportation Impact Fee (Ordinance 2733 Section 9), School Impact Fees - Issaquah School District (IMC Code 3.63), Parks Impact Fee (Ordinance 2733 Section 9), and Fire Impact Fee (IMC Code 3.73). The impact fees are required of the four additional new dwelling units added to the site. Credit will be granted to the existing house that will be demolished when it is redeveloped.
8. The development standards for the zoning of the property, "SF-D", are shown below (District Standards Table of the Land Use Code—IMC 18.07.360):

	Front	Side 1	Side 2	Rear
MINIMUM SETBACK:	10	6	6	10
Proposed A	12' 9"	21' 6" (W)	10' (E)	6' 3"
Proposed B	21' 6"	9' 3" (N)	8' 9" (S)	10
*Proposed C	42' 9"	17' 4" (W)	22' 10" (E)	8' 1"
* Prior to demolition				

	Required	Provided
DENSITY:	6 dwelling units max	*4 new dwelling units (1 existing dwelling proposed for demolition not included)
LOT AREA:	6,000 sq. ft. per dwelling unit	Lot A: 6,206 sq. ft. Lot B: 6,057 sq. ft. Lot C: 6,069 sq. ft.
IMPERVIOUS AREA:	50% maximum	Lo A: 49.47% Lot B: 48.54% *Lot C: 36.41%
PERVIOUS AREA:	50% minimum	Lot A: 51.46% Lot B: 50.53% *Lot C: 63.59%
PARKING:	8 parking stalls (2 per dwelling unit)	*10 parking stalls
BUILDING HEIGHT:	30 feet maximum	30* feet measured from the average surface grade to the average of the highest pitched roof.
* Lot C will require full compliance with all development standards upon redevelopment.		

9. The parking regulations of the Land Use Code (Chapter 18.09.050) require duplexes to provide 2 on-site parking stalls per dwelling unit. The project requires a total of 8 new parking stalls for the new duplex buildings, which will all be located within garages on Lots A and B. There is room for two (2) cars to park on the existing driveway of Lot C.
10. Access will be provided as follows: Vehicular access to the new duplex's garages is off SE Andrews St (Lots A and B) and from a driveway on SE Bush St. to the north (Lot C). Sidewalks for pedestrian access from the new units will front SE Andrews St. There is an existing sidewalk on SE Bush St.
11. City utilities are available to serve the duplexes as follows:
 - The three (3) lots are adequately served by City water. An existing water service line runs down SE Andrews St.
 - The three (3) lots are adequately served by City sewer. An existing sanitary sewer runs line down SE Andrews St.
 - Storm water drainage will collected in drywells proposed on Lots A and B. A storm water line also runs down SE Andrews St.
12. Storm water drainage: The project will contain on-site storm water by dry wells. The location of the dry wells shall not be located in the dripline of trees on the adjacent property.
13. Building Design: The new duplexes will be designed in compliance with the Design Criteria Checklist (adopted by Ordinance No. 1983). The project meets the criteria of the Design Criteria of Appendix 2, of the Land Use Code or is conditioned as follows:
 - A. Site Layout & Overall Design Concepts:
 - a) *Building Location:* The project is comprised of a two duplex dwellings that run north to south and the site will be subdivided into three lots so that each duplex and the existing single family residence are on their own lot. The buildings visually will still have the appearance as duplexes, but there is no

front door facing the street. The buildings are centered on the lots providing yards on the east side of the subject property, the same side as the front doors.

- b) *Energy Efficient Design*: The new duplexes will need to meet Washington State Energy Code requirements with the construction permits.
- c) *Functional Site Design*: The design and layout of the duplexes is acceptable for the site. The development will be three (3) stories in height with the garage being the entire ground level. The designs of the duplexes are similar to the adjacent development and generally fit in with the “Olde Town” character of the neighborhood.
- d) *Lighting*: No special exterior lighting for the project is proposed outside of porch lights. The project has been conditioned that any outdoor lighting will need to comply with the requirements of the Outdoor Lighting standards of the Land Use Code.
- e) *Natural Setting – Views*: No views of the City's natural setting will be compromised with the project.
- f) *Existing Vegetation/Topography Features*: The property is flat without significant topographic features. A site survey of the property has been provided with the short plat drawings, indicating the existing dwelling, detached garage, significant trees, and site utilities. One existing trees that can be saved on Lot C. The tree preservation chapter of the landscape code (IMC 18.12.1385) requires that 30% of the total caliper of significant trees be saved. The total caliper on site is approximately 72 inches and fourteen (14) inches will be retained which is 19.44%. The tree to be retained is on Lot C in the front yard of the existing residence. Section 18.12.1385.B allows a modification to the tree retention requirements when the required ingress/egress, existing and proposed utility locations, trails, storm drainage improvements or similar constraints may jeopardize the reasonable use of the property and reasonable alternatives do not exist. The tree replacement rate for the removal of 58 inches is one (1) tree for every six (6) inches removed, which is ten (10) trees for this development. The minimum tree density for each lot is three (3) trees at (2) trees per every 5,000 square feet. The number of trees that are required to be planted is required to meet the minimum tree density and the replacement rate. The Administrative Site Development Permit has been conditioned to reflect the above mentioned requirements.
- g) *Historical/Cultural Landmarks*: Not applicable.

B. Landscape Design and Use of Plant Materials:

- 1. *Design Elements*: Landscaping for the project includes a combination of tree retention, new trees, shrubs and ground cover plantings. The proposed landscaping plans have been conditioned to meet the landscape requirements and standards. Appropriate tree protection measures for driplines of trees on the subject property during construction will need to be in place, also as conditioned.

2. *Design Unity*: The project design uses design unity by repetitive use of ornamental landscaping materials that will be compatible with landscaping within the neighborhood.
3. *Enhanced Design*: The new landscaping proposed for the project as redesigned in accordance with conditions 10, 22, 23, 24, and 27 works well to strengthen the important focal points of the site. A majority of the yards will be maintained in lawn, similar with neighboring properties.
4. *Usable Open Space Design*: Useable open space for passive recreation is provided within decks and porches. Usable lawn area is also provided for each of the four (4) new dwelling units.
5. *Plant Materials*: The landscaping plan includes new native and ornamental landscaping selected for structure, texture, scents and color consisting of trees, shrubs and ground covers. One (1) existing tree as identified on the short plat will be retained.

C) Design Harmony & Compatibility:

1. *Accessory Structures*: No accessory structures are proposed.
2. *Building Materials/Components*: The new duplexes meet the setbacks on the site, with the exception of the rear yard setback on Lot A and C, and is identical to the duplexes to the east.
3. *Compatibility*: Uses around the site include a mix of both single family and multi-family residential use. The proposed duplexes will be three (3) stories in height.
4. *Design Components*: Design components, such as colors, modulation with building elevations, Facades and ground level blank walls have been conditioned to comply with the screening requirements of the code. Corporate style is not applicable to the project. The duplexes are within the allowable height range for the SF-D zone.
5. *Signage*: Not applicable. The only signage will be a freestanding address signs for the dwelling units. Each unit shall also have an address adjacent to the front door. Final addressing of the units will be subject to approval by the Fire Department.
6. *Transition*: The duplexes will provide transition with adjoining and permitted land uses. The neighborhood is a mix of both single family and duplex dwellings. The neighborhood is in transition, going from the older traditional single family houses to the newer duplex dwellings. The duplexes are designed to comply with the allowable building setbacks, except for the adjustments provided herein, and allowable pervious/imperious surface ratios for the zoning of the property.
7. *Projects with Multiple Structures*: The project includes two (2) duplex buildings for a total of four (4) new dwelling units and one (1) existing detached single family residence.

D) Pedestrian and Vehicular Areas:

1. *Barrier-Free*: The main pedestrian route is the walkways connecting front doors to the public sidewalks.
2. *Circulation/Trail Access*: Trail access is not applicable to the project.
3. *Design – Parking Areas*: The project provides eight (8) new on-site parking stalls (two [2] stalls in each garage for each dwelling unit).
4. *Public Access – Adjacent to Site*: Public sidewalks will front along SE Andrews St. and a sidewalk exists on SE Bush St.
5. *Public Access – Within Site*: There is no public access within the site.
6. *Trail Design*: Not applicable.
7. *Transition of Design Elements and Amenities*: The proposed duplexes provide a desirable transition in relation to the adjoining and permitted land uses in the neighborhood -- a combination of single family and duplex developments. The scale and architectural design of the duplexes should blend in with the neighborhood.

E) Service and Storage Areas:

1. *Screening – Service Yards and Outdoor Storage*: There is no service yard or storage yard with the project. Individual garbage cans/recycling bins will be provided to the dwelling units for garbage and recycling within the garages.
2. *Screening – Mechanical Equipment*: Not applicable.
3. *Screening – Display Areas*: Not applicable.

F) CPTED (Crime Prevention through Environmental Design:

The walkways and landscaping will direct visitors to the proper entrances to the dwelling units. The proposed landscaping has been conditioned not to impact viewing to and from the dwelling units.

15. Additional Approval Criteria for multifamily and duplex developments: IMC 18.07.440

Access and Circulation:

- 1) Motorized: Vehicular access is provided such that it will not have a negative impact upon adjacent land uses. Vehicle access to the new duplexes is from SE Andrews St and the existing house has access from SE Bush St.
- 2) Nonmotorized: Pedestrian walkways will be provided for the new duplexes with new sidewalks fronting SE Andrews St. as required street improvements.

Building Modulation:

The new duplexes have been designed to provide facade modulation in the form of indentations, extrusions, facade windows & doors and detailing with the use of varied wood materials and colors. There is one blank wall adjacent to SE Andrews St. that has

been conditioned to comply with the requirements to screen blank walls.

Duplex and Townhouse Standards in Single Family Neighborhoods:

The duplex is located in an established older single family residential neighborhood (Olde Town) that is going through transition to duplex dwellings as allowed by the SF-D zoning of this area. The architecture of the buildings as designed should be compatible with the character of the neighborhood along SE Andrews Street. The style is identical to the buildings to the east of the subject property. The buildings are two and a half stories in height.

Parking:

Parking is in compliance for multifamily developments as established in the Table of Off-Street Parking Standards, IMC 18.09.050. Each dwelling unit requires two (2) parking spaces and two (2) parking spaces in garages have been provided for each dwelling unit. The four (4) new dwelling units require eight (8) parking stalls are they are all being provided in garages.

Private or Common useable Outdoor Space:

Private outdoor space for each of the new individual dwelling units is being provided as required in the form of decks and private porches that meet the minimum size required.

Roofline Variation:

The elevation drawings show varied rooflines with the duplexes to break up the overall bulk and mass. Roof line variation is acceptable.

Screening - Parking and Structures:

The parking areas are fully screened in that all parking stalls will be located within garages.

16. The project Planning application and plans were routed to all project reviewing departments and divisions, and their comments and concerns have been addressed in this Notice of Decision. Additional conditions may be placed on the project based on review of the construction permit requirements.
17. Public Notification: Public notification to property owners within 300 feet of the subject site was required as part of the Level 2 Review – Short Plat, Administrative Site Development Permit and Administrative Adjustment of Standards for Setbacks. Notice of the project was mailed out to property owners on May 7, 2014 and a comment period was established, ending on May 21, 2014. A public meeting was not required. Written correspondence was received from four citizens regarding architectural compatibility and a property line issue. (Correspondence entered as Exhibits 8,9,10,11).

Staff response:

The comments and concerns addressed in summary the following: The applicant has resolved issues related to the location of the easterly lot line of the proposed subdivision. The result yielded a smaller lot width and lot sizes. Additionally, where deficient this application has been conditioned to meet the requirements in the Land Use Code.

REASONS FOR DECISION: ADMINISTRATIVE ADJUSTMENT OF STANDARDS

1. 18.07.260 General Purpose:
The purpose and intent of administrative adjustment of development standards is to provide the flexibility to modify standards in all zoning districts at the administrative level.

Approval must be based on a determination that the adjustment is consistent with the purpose and intent of this Code and of the development standards. This provision requires a Level 2 Review (Chapter 18.04 IMC) regardless of street frontage or parcel size, with public notification to adjacent property owners.

2. 18.07.270 Process:

The Planning Director/Manager has the authority to make the final decision regarding Administrative Adjustment of Standards for all levels of review. The Director/Manager shall consider the application information regarding the approval criteria which has been provided by the applicant and any public comment which has been received within the comment period. The Director/Manager may request input from the Chair of the Development Commission during the comment period; however, this is not required. The Planning Director/Manager's decision on the Administrative Adjustment of Standards is final unless appealed. Appeals to a Level 2 Review/Administrative Adjustment of Standards decision are made to the Hearing Examiner (further appeals to King County Superior Court).

3. 18.07.330(A): Purpose for Setbacks:

The purpose of permitting the Administrative Adjustment of Setback Standards is to provide for flexibility in reducing or modifying setbacks in all zoning districts, without permitting a setback adjustment that would negatively impact the surrounding neighborhood. An adjustment to a setback may be approved based on a determination by the Planning Director/Manager that the adjustment is consistent with the purpose of this Code, the intent and purposes of the setback standards, and will accomplish one (1) or more of the following objectives:

- 1) Allow buildings to be sited in a manner which maximizes solar access;
- 2) Allow zero lot line, semidetached (common wall construction) or other types of cluster development in conformance with the provisions of this Code;
- 3) Coordinate development with adjacent land uses and the physical features of the site;
- 4) Permit flexibility in the design and placement of structures and other site improvements;
- 5) Allow development consistent with the scale and character of the existing neighborhood;
- 6) Provide flexibility for a site which has one (1) or more of the following constraints:
 - a. Existing development which was permitted or platted under previous land use regulations; or
 - b. A vacant site which had development approval or was platted under previous land use regulations; or
 - c. Physical features of the site which prevent development that is compatible and consistent with the character and scale of the surrounding area, such as the unique site constraints in the older part of the city;
- 7) Allow reduction of the required setbacks in order for the placement of the building to be adjusted on the lot for retention of existing significant trees.

4. 18.07.330 (B): Approval Criteria:

These setback standards are applicable in a residential, commercial, industrial or mixed use development, unless otherwise provided. These standards are not applicable to the Mineral Resource Zone. Setback standards for the Mineral Resource Zone are provided at IMC 18.07.525. These standards may be adjusted administratively through the approval of all the following criteria, in addition to the approval criteria for Level 2 Review:

- (1) Compatibility: The adjustment of setbacks is compatible in scale and character with existing neighboring land uses; and
- (2) Consistency: The proposed development meets all other development and design standards as governed by the District Standards Table and the Design Criteria Checklist, unless those standards are modified through approved:
 - a. Cluster provisions; or
 - b. An Administrative Adjustment of Standards; and
- (3) Consistency with Zoning District: The adjustment of setbacks shall provide consistency with the intent and character of the zoning district involved; and
- (4) Impacts:
 - a. Adjacent Property Owner(s): The adjustment of setbacks does not negatively impact the adjacent property owners;
 - b. Critical Areas: The adjustment of standards is consistent with the purpose and intent of the critical area regulations, and does not negatively impact any adjacent critical areas;
 - c. Public Services: The adjustment of setbacks does not negatively impact public services, including emergency access, access to right-of-way, dedicated tracts, or easements; and
 - d. Structure(s): Any structure(s) which is within the proposed setback modification area does not negatively impact the adjacent property through incompatible height, bulk, design, color or other feature; and
- (5) Intent: The adjustment of standards will be equal to or superior in fulfilling the intent and purpose of the original requirements; and
- (6) Impervious Surface Ratio: The required impervious surface area for the property is not exceeded; and

5. City response to AAS approval criteria:

Compatibility: The adjustment of standards request to reduce Lot A's rear yard setback adjacent only to Lot B from 10 feet to 6 feet 3 inches. The only property impacted by this request is one that is part of this application. There is also landscaping proposed in the setback areas. The adjustment for Lot C from 10 feet to eight (8) foot one (1) inches is only for the existing home and that is proposed to be demolished and redeveloped in the future. Since the redevelopment plans for Lot C are unknown at this time Lot C will be required to meet all development standards in place at that time.

Consistency: The proposed dwelling unit on Lots A and C will meet all other development standards of the Land Use Code including the front and side yard setbacks.

Consistency with Zoning District: The intent and character of the zoning district is a mix of single family detached, single family attached and duplex dwellings (single Family – Duplexes -- "SF-D") and the request will be consistent with the zoning.

Impacts to adjacent property owners: The adjustment of standards to reduce the rear yard for the house addition will not negatively impact the adjacent neighbors to the east or west. No public comments were received from adjacent property owners regarding the adjustment of standards.

Impacts to critical areas: There are no "critical areas" on the site.

Impacts to public services: There will be no negative impact to public services including emergency access, access to the streets or tracts or easements.

Impacts to adjacent property: The minor reduction of the rear yards on Lots A and C should not have a negative impact to the adjacent properties. The site is bounded by city right-of-way on the north and south sides. No public comments were received of the yard reduction. The design and colors of the proposed dwelling will be compatible to those in the neighborhood as well.

Intent: The adjustment of standards requested for the dwellings will be equal or superior in fulfilling the intent and purpose of the original requirement in allowing for flexibility in reducing and modifying the yard setback.

Impervious surface ratio: The maximum impervious surface ratio of the SF-D zone is 50% and the minimum pervious surface ratio is 50%. Lots A and B are designed to comply with those development standards. Lot C will be reviewed for compliance when redevelopment occurs.

Time Limit of Approval:

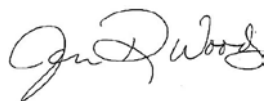
The final decision approving the Planning Permits is valid for three years as specified by IMC 18.04.220-C-5

EXHIBIT LIST:

1. Short Plat application, SP14-00001, received 1-21-2014
2. Administrative Site Development Permit application, ASDP14-00006, received 3-25-2014
3. Administrative Adjustment of Standards application, AAS14-00004, received 3-19-2014
4. Vicinity Map (from Development Services Department)
5. Affidavit of Ownership/Agent Authority (4 pages), received 1-21-2014
6. Project Narrative, received 3-25-2014
7. Aerial photo of existing site (from Development Services Department)
8. Public Comments received from Alan Erickson on 5-10-2014
9. Public Comments received from Pamela Fox on 5-12-2014
10. Public Comments received from Jon Fallstrom on 5-13-2014
11. Public Comments received from Maila Greening and Andy Bechtel on 5-22-2014

Project Drawings:

12. Short Plat drawing, received
13. Site Plan, received
14. Landscape Plan, received
15. Elevations, received



Jennifer R. Woods, AICP, Planner

4-16-2015

Date

LAND USE PERMIT APPLICATION



**CITY OF
ISSAQUAH**
DEVELOPMENT SERVICES

1775 - 12th Ave. NW | P.O. Box 1307
Issaquah, WA 98027
425-837-3100
issaquahwa.gov

This Section For Staff Use Only	
Permit Number: <u>SP14-00001</u> Staff Contact: _____	RECEIVED JAN 21 2014 City of Issaquah

Type of Application: Short Plat

PROJECT INFORMATION

Name of Project (if applicable): CAPELOUTO

Project Site Address: 560 SE BUSH STREET

Parcel Number: 342406-9169 AND 342406-9160

OWNER

Name: MIKE CAPELOUTO

Address: 18503 NW MONTREUX DRIVE, ISSAQUAH, WA 98027

Phone: 206.478.7377 Email: ISSCAP@YAHOO.COM

APPLICANT

Name: _____

Address: _____

Phone: _____ Email: _____

CONTACT

Name: THOMAS WOLDENDORP - SITE SURVEY & MAPPING, INC

Address: 21923 NE 11TH STREET, SAMMAMISH, WA 98074

Phone: 425.298.4412 Email: TNW@SITESURVEYMAPING.COM

PROPOSED PROJECT DESCRIPTION

Please provide a brief description of the project. (Use an additional sheet of paper, if necessary.)

SHORT PLAT OF TWO LOTS INTO THREE LOTS.

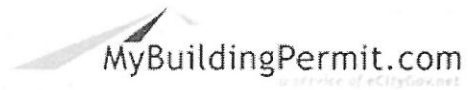
I certify (or declare) under penalty of perjury under the laws of the State of Washington that all application information, including plans and reports, are true and complete to the best of my knowledge. I understand the lead agency is relying on them to make its decision.

Signature: _____

Date: 12/18/13



CITY OF ISSAQUAH



Land Use Application #194467 - CAPELOUTO ISSAQUAH

Applicant

First Name		Last Name		Company Name	
Jason		mcnair			
Number	Street	Apartment or Suite Number		E-mail Address	
4008	37ave sw			mcnair.jason@gmail.com	
City	State	Zip	Phone Number		Extension
seattle	WA	98126	(206) 354-7571		

Contractor

Company Name					
Owner					
Number	Street			Apartment or Suite Number	
City	State	Zip	Phone Number		Extension
State License Number		License Expiration Date	UBI #	E-mail Address	

Project Location

Number	Street	Floor Number	Suite or Room Number
City	Zip Code	County Parcel Number	
Associated Building Permit Number		Tenant Name	
Additional Information (i.e. equipment location or special instructions).			
Work Location			
SE ANDREWS STREET			

Property Owner

First Name		Last Name or Company Name	
Number	Street	Apartment or Suite Number	
City	State	Zip	

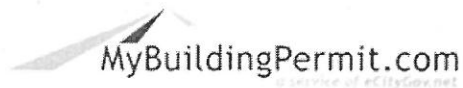
Certification Statement - The applicant states:

I certify that I am the owner of this property or the owner's authorized agent. If acting as an authorized agent, I further certify that I have full power and authority to file this application and to perform, on behalf of the owner, all acts required to enable the jurisdiction to process and review such application. I have furnished true and correct information. I will comply with all provisions of law and ordinance governing this type of application. If the scope of work requires a licensed contractor to perform the work, the information will be provided prior to permit issuance.

Date Submitted: 3/25/2014 Submitted By: Jason mcnair



CITY OF ISSAQUAH



Land Use Application #191005 - capelouto Issaquah

Applicant

First Name		Last Name		Company Name	
Jason		mcnair			
Number	Street	Apartment or Suite Number		E-mail Address	
4008	37ave sw			mcnair.jason@gmail.com	
City	State	Zip	Phone Number		Extension
seattle	WA	98126	(206) 354-7571		

Contractor

Company Name					
Owner					
Number	Street			Apartment or Suite Number	
City	State	Zip	Phone Number		Extension
State License Number		License Expiration Date	UBI #	E-mail Address	

Project Location

Number	Street	Floor Number	Suite or Room Number
City	Zip Code	County Parcel Number	
Associated Building Permit Number		Tenant Name	
Additional Information (i.e. equipment location or special instructions).			
Work Location			
571 se andrews st			

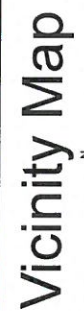
Property Owner

First Name		Last Name or Company Name	
Number	Street	Apartment or Suite Number	
City	State	Zip	

Certification Statement - The applicant states:

I certify that I am the owner of this property or the owner's authorized agent. If acting as an authorized agent, I further certify that I have full power and authority to file this application and to perform, on behalf of the owner, all acts required to enable the jurisdiction to process and review such application. I have furnished true and correct information. I will comply with all provisions of law and ordinance governing this type of application. If the scope of work requires a licensed contractor to perform the work, the information will be provided prior to permit issuance.

Date Submitted: 3/19/2014 Submitted By: Jason mcnair



City of Issaquah
AFFIDAVIT OF OWNERSHIP

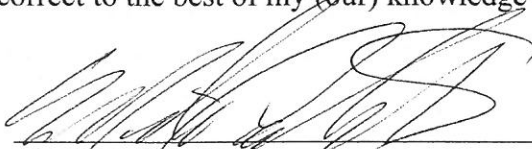
STATE OF WASHINGTON)
COUNTY OF KING)
CITY OF ISSAQUAH)

RECEIVED

JAN 21 2014

City of Issaquah

I/we, MIKE CAPELOUTO, being duly sworn depose and say, that I am (we are) the owner(s) of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my (our) knowledge and belief.


Owner's Signature

12/18/13
Date

Owner's Signature

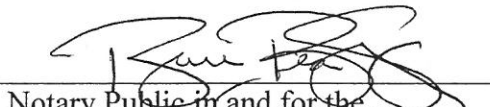
Date

Mailings: 18503 NW MONTREAX DRIVE ISSAQUAH WA 98027
Street City State Zip

Phone: 206.478.7377
Home Business

Subscribed and sworn to before me this 18th day of December 2013

Notary Public
State of Washington
RYAN A BEASLEY
My Appointment Expires Apr 23, 2017


Notary Public in and for the
STATE OF WASHINGTON, residing at

98027

ARC₃₉

architecture + design

A Request for Administrative adjustment of setback standards.

We are requesting an adjustment of the setbacks for the proposed project at 571 SE Andrews street.
The standard setbacks for this lot are:

Front yard setback = 10ft

Side yard setback = 6ft

Rear yard setback = 20ft

We are proposing to build 2 duplexes on the lot with

Duplex #1

Units one and two:

Front setback of 13ft

Side setbacks of 10ft and 19ft 6in

Rear setbacks of 9ft

Duplex#2

Units three and four:

Front setback of 19ft 6in

Side setbacks of 9ft and 6ft 4in

Rear setback of 10ft

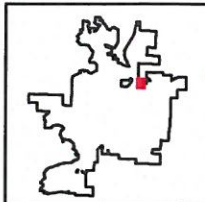
The main reason for asking for the adjustment of the setbacks is to create a uniformed development of this lot, also to give each unit the most separation from the other units in the development.

18.07.330 Setbacks

A. Purpose:



AERIAL MAP



DISCLAIMER: These maps and other data are for informational purposes and have not been prepared for, nor are they suitable for legal, surveying, or engineering purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. The City of Issaquah makes no warranty or guarantee as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained herein.



CITY OF
ISSAQUAH
GEOGRAPHIC
INFORMATION SYSTEMS

4/10/2015

Date: May 10, 2014

To: City of Issaquah, Development Services
Attn: Jennifer R. Woods, AICP
1775 – 12th Ave. NW / P.O. Box 1307
Issaquah, WA 98027

From: Alan E. Erickson
P. O. Box 862
Issaquah, WA 98027

COMMENT re: Notice of Application – Capelouto Short Plat

Applications: SP14-00001, ASDP14-00006, and AAS14-00004

The lots in this development plan are NOT legally 75 feet wide, as represented by the applicant.

Mike Capelouto purchased these two lots (Tax Parcels 342406-9160 and 342406-9169) from Alan Erickson in December 2013 to resolve lawsuits stemming from Capelouto's having previously filed an encroaching Boundary Line Adjustment and then selling that encroached 1,120 square foot strip of Erickson's property to multiple buyers (Prestige II Condos, Prestige III Condos, and 580 SE Bush Street).

[Note: See King County Record of Survey 20130905900007 for details. Dimensions of Encroached Strip: LENGTH--260' long, running from SE Bush Street to SE Andrews Street. WIDTH—5.47' at SE Bush Street and narrowing to 3.14' at SE Andrews Street.]

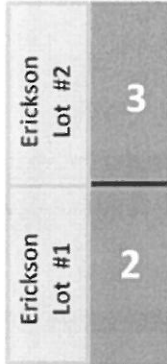
In 2012, Erickson lost sales contracts on these properties and was unable to sell, due to title exceptions caused by the encroached boundary. Capelouto steadfastly refused to correct the problem, since his encroaching legal descriptions were deeply embedded in his development applications, condo declarations, condo surveys/plans, warranty deeds, mortgages, etc., of five different adjacent properties. Capelouto ultimately agreed to purchase the two full parcels from Erickson to terminate the litigation by Erickson--and also to protect himself from future litigation from his condo buyers, since he had claimed ownership of Erickson's property and conveyed it to them by Warranty Deed.

Upon purchasing the two properties from Erickson, it was Capelouto's responsibility to file Boundary Line Adjustments to correct the over-lapping legal descriptions – i.e. reduce the width of the two parcels to eliminate the overlap that he created previously. The plans submitted with the 3 current applications suggest that this step has not occurred.

Further, Capeloto asked our surveyor, Eastside Consultants, whether he could include that encroached strip in future development proposals to the City and represent the two parcels as being 75' wide. He was clearly informed that he could not legally do so. It would be "double-dipping," since he had already used and sold that encroached strip in his previous developments.

Background Information

SE Andrews St.



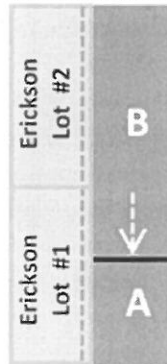
SE Bush St.

January, 2005 – Mike Capelouto purchased lots.

(Legal Descriptions as purchased coincided perfectly with Erickson's property—no gaps, no overlaps.)

King County Recording: 20050131003073

SE Andrews St.

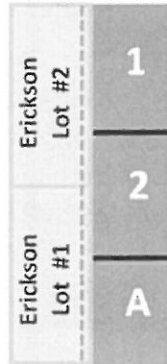


SE Bush St.

July, 2005 – Mike Capelouto recorded Boundary Line Adjustment, with "new" metes & bounds legal descriptions that overlapped Erickson's property.

King County Recording: 20050707900028

SE Andrews St.



SE Bush St.

December, 2005 – Mike Capelouto recorded Short Plat with metes & bounds legal descriptions that overlapped Erickson's property.

King County Recording: 20051201900018

Subsequently, Mike Capelouto built and sold two 2-unit condos (on Lots 1 and 2), using the new overlapping legal descriptions. He also sold the pre-existing single-family residence (on Lot A) using the new overlapping legal description.

RECEIVED

MAY 12 2014

City of Issaquah

May 12, 2014

Jennifer R. Woods, AICP
City of Issaquah
PO Box 1307
Issaquah, WA 98027

RE: Notice of Application
Capelouto Short Plat
SP14-00001; ASDP14-00006; and AAS14-00004

Thank you for the notice of Capelouto's application for the Short Plat, Administrative Site Development Permit and the Administrative Adjustment of Standards for Setbacks.

I previously opposed Capelouto's Short Plat PLN04-00029 and PLN04-00108 due to the concerns I had then. Some of my concerns are still valid today - the appropriate lot size for what is being built and whether there is sufficient capacity for water, sewer and storm, transportation concurrency.

I now have more serious concerns regarding this 1.) Short Plat, 2) Administrative Site Development Permit and 3) Administrative Adjustment of Standards for Setbacks request. The first and most serious concern is the Administrative Adjustment of Standards for Setbacks. When Capelouto developed the townhomes on the east side of the proposed lot (PLN04-00029 and PLN04-00108) he encroached upon property that was not legally his in order to have enough allowable space to develop the four duplexes addressed off of SE Andrews Street. Now Mr. Capelouto wishes to build four more duplexes and be allowed to ignore the setbacks so he can build four more units. He should not be allowed an Administrative Adjustment of Standards Setbacks because he does not have adequate land to build on.

When Mr. Capelouto built the townhomes to the east of this site, he repeatedly ignored the construction rules and regulations. His crews worked well after 6:00 PM and his privilege to work on weekends was revoked numbers of times because he ignored the rules so often. You can check with the lead building inspector to find out how many complaints were received during the construction of the townhomes to the east of the proposed units. Given his track record, If Mr. Capelouto is allowed to build I would like to see enforceable penalties if he continues to violate the city code.

Another issue I have is with the underground parking areas. In regards to the units next to my home at 590 SE Bush Street, the underground garage is four to six feet below existing ground level. Mr. Capelouto installed a garden block wall next to my property without any backfill or compaction. My property is now sloughing off on the side next to the block wall. This concerns me and now he will be doing it next to the property on the west and the same issue may occur there. I want to make sure that the retaining wall designed and construction has no adverse effect on adjacent property owners.

Another issue I have is with the design and implementation of on-site parking. It is clear that the existing design does not provide effective on-site parking since all the units Mr. Capelouto built to the east park on the street. The on-site parking needs to be re-designed so it's effective. There had been complaints to the city regarding how the tenants/owners were parking on Andrews and obstructing the travel lane because no one was using the on-site parking.

One of the tenants in the building next to my property preferred to use the garage as a play area for the kids and parked their vehicles on the street. With this many buildings close together there is a limited amount of grass area for kids to play. I would like to see some space dedicated to open space for children. The nearest park is Memorial Field and too far for small children to go on their own.

I strongly urge you not to allow the Administrative Adjustment of Standards for Setbacks. Make Mr. Capelouto follow the rules like the rest of the citizens of Issaquah are required to do.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela J. Fox", with a stylized flourish at the end.

Pamela J. Fox
590 SE Bush Street
Issaquah, WA 98027

From: Jon Fallstrom [jfallstrom@msn.com]
Sent: Tuesday, May 13, 2014 7:43 PM
To: Jennifer R. Woods
Subject: Capelouto Short Plat

May 13, 2014

Capelouto Short Plat

Jennifer R. Wood
PO Box 1307
Issaquah, WA 98027

Dear Jennifer R. Woods:

First, I would like to thank you for taking the time to meet with me to discuss Mr. Capelouto's application related to the proposed development of property located at 560 SE Bush Street.

For the record, I am the executor for the estate of my mother Frances C. Fallstrom. The estate is responsible for her former home located at 545 SE Andrews Street. This property is directly adjacent to Mr. Capelouto's proposed project to the west. Impacts to the neighborhood are of significant concern, as development continues to change the character of what once was a neighborhood of single family residences to one of three story, multi-family apartments and condominiums. While I must accept these changes they are none the less sad for a 50+ year Issaquah resident.

My specific concerns regarding this project are two. First, I believe there may be issues relating to the survey utilized to establish the property corners. It is my understanding Mr. Capelouto's previous development directly to the east of this proposal encroached between three and five feet into the property for this project. This was born out through a survey conducted on behalf of Mr. Al Erickson (previous owner of the property proposed for development) to correctly identify property boundaries. I believe there may be an attempt to utilize incorrect property corners in order to create sufficient lot size to meet the requirements for minimum pervious surface. Secondly, and related to the survey, are the depictions of the lot dimensions on the site plans submitted with the application. They show lot dimensions (east to west) of 75 feet. These dimensions may actually be between 70 to 72 feet based on the updated survey conducted for Mr. Erickson. I request these concerns be reviewed and addressed as appropriate.

Please feel free to contact me with any questions or clarification you may have or need.

Sincerely,

Jon Fallstrom
885 7th Avenue NW
Issaquah, WA 98027

885 7th Avenue NW
Issaquah, WA 98027

From: Malia Greening [maliagreening@yahoo.com]
Sent: Thursday, May 22, 2014 8:08 PM
To: Jennifer R. Woods; malia greening; andy bechtel
Subject: Capelouto Development at 560 SE Bush St.

Jennifer,

I am writing with concern regarding the proposed development at 560 SE Bush St. My family and I live across the street at 575 SE Bush St.

We have three issues with the proposed development. The first is the parking problem it will create. Since the last 4-plex was built across the street (also by Capelouto), the tenants have not used the included underground parking. They park on the street and in front of our homes, which limits where we (the other home owners) can park. Secondly, last time the units were built by Capelouto, he encroached on a neighbor's property which later interfered with the sale of that property. For this proposed 560 SE Bush project, he once again does not have enough room and should not be allowed to build.

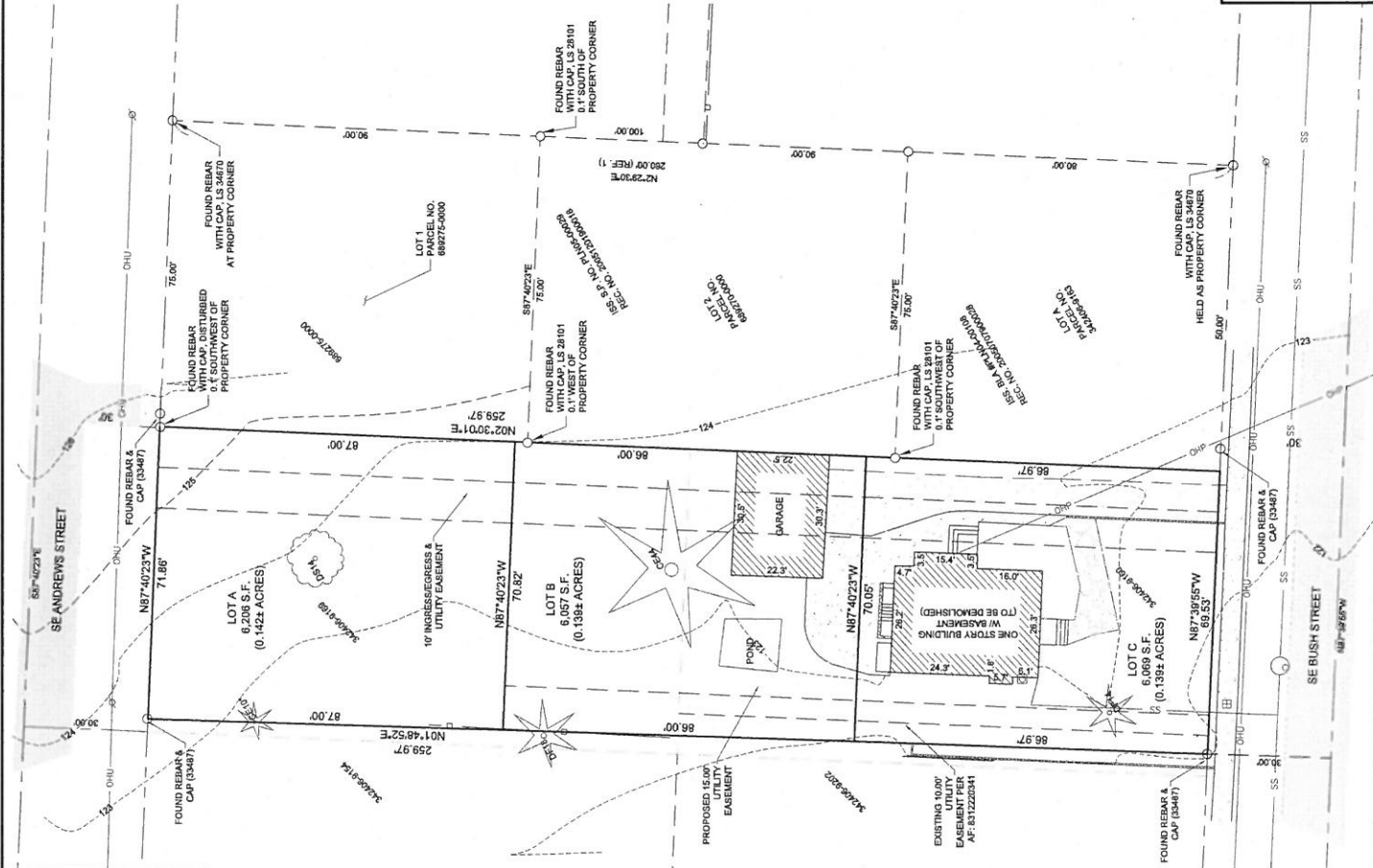
My final complaint is more of a personal opinion. The proposed units destroy the quaint, historic look of downtown Issaquah. We have always been proud of the unique and preserved craftsman style of our downtown neighbors. These units don't even attempt to "fit in" to this beautiful neighborhood.

Thank you for considering these concerns,
Malia Greening and Andy Bechtel
206-999-1991
575 SE Bush St.
Issaquah, WA 98027



**Site
Surveying, Inc.**

www.siteurveymapping.com 21923 NE 11th Street, Sammamish, WA 98073

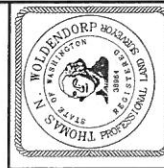


RESTRICTIONS OF RECORD

1. THIS SITE IS SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN SHORT PLAT NO. SP14-00001, RECORDED UNDER RECORDING NO. 831220341, RECORDS OF KING COUNTY, WASHINGTON.

GENERAL NOTES

1. THIS SURVEY IS BASED ON OLD REPUBLIC TITLE & ESCROW TITLE COMMITMENT, ORDER NO. 8211020786, DATED SEPTEMBER 24, 2013 AT 8:00 AM.
2. INSTRUMENTATION FOR THIS SURVEY WAS A 5-SECOND NIKON NVO 5C TOTAL STATION. PROCEDURES USED IN THIS SURVEY MEET OR EXCEED STANDARDS SET BY WAC 357-100-006.
3. THE INFORMATION ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE IN DECEMBER 2013 AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.
4. ALL MONUMENTS WERE LOCATED DURING THE COURSE OF THIS SURVEY UNLESS OTHERWISE NOTED.



PROJECT#: 13-400 SHEET: 2 OF 2

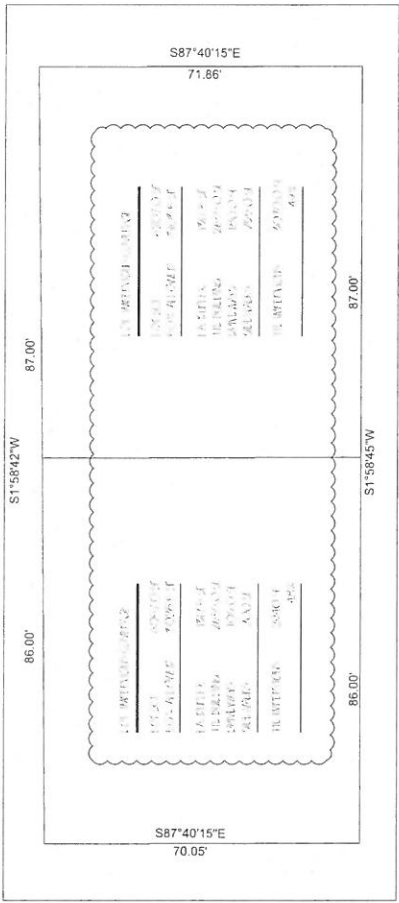
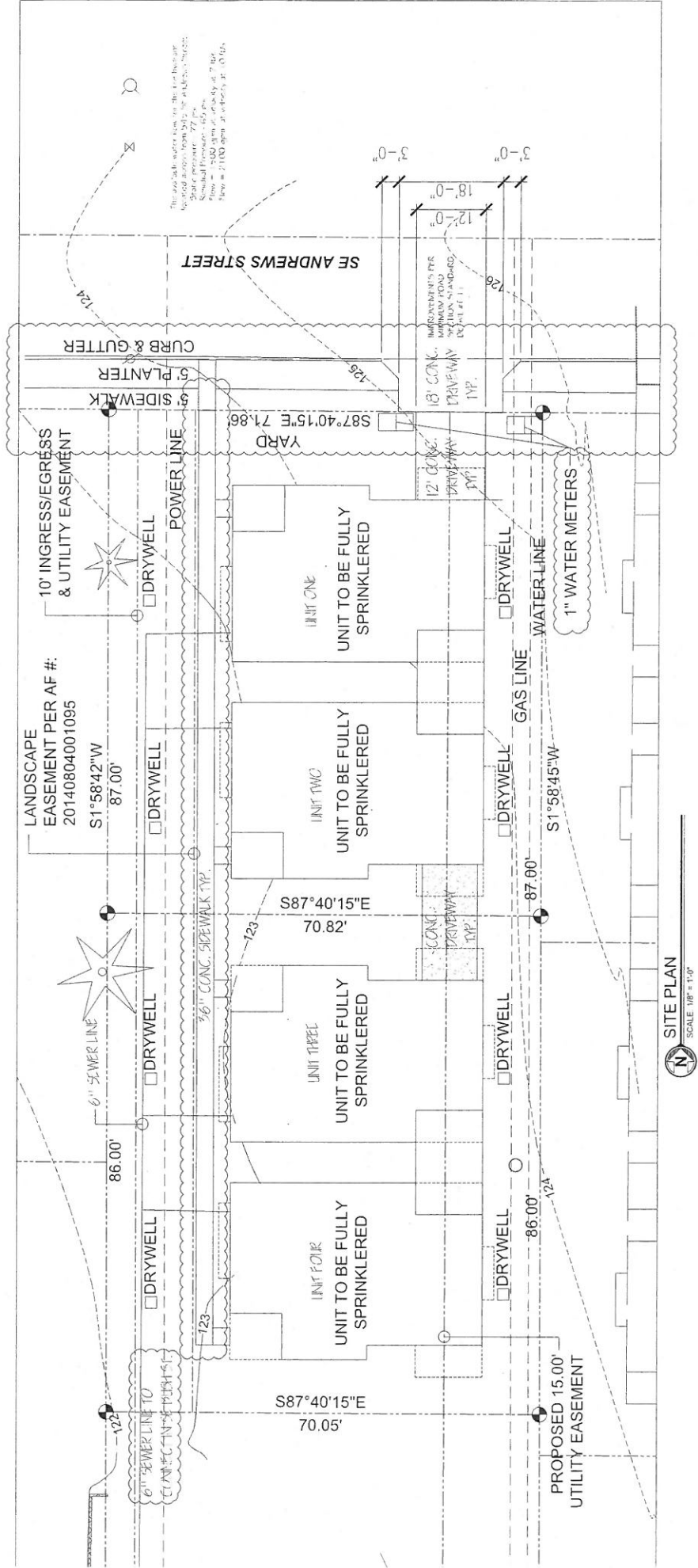
Site
surveying, Inc.

www.site-surveying.com 21023 NE 11th Street, Sammamish, WA 98074 Phone: 425-296-4412

CAPELOUTO SHORT PLAT

MIKE CAPELOUTO
560 SE BUSH STREET
ISSAQUAH, WA 98027

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SITE PLAN
SCALE: 1/8" = 1'-0"

IMP. PLAN
SCALE: 1/8" = 1'-0"

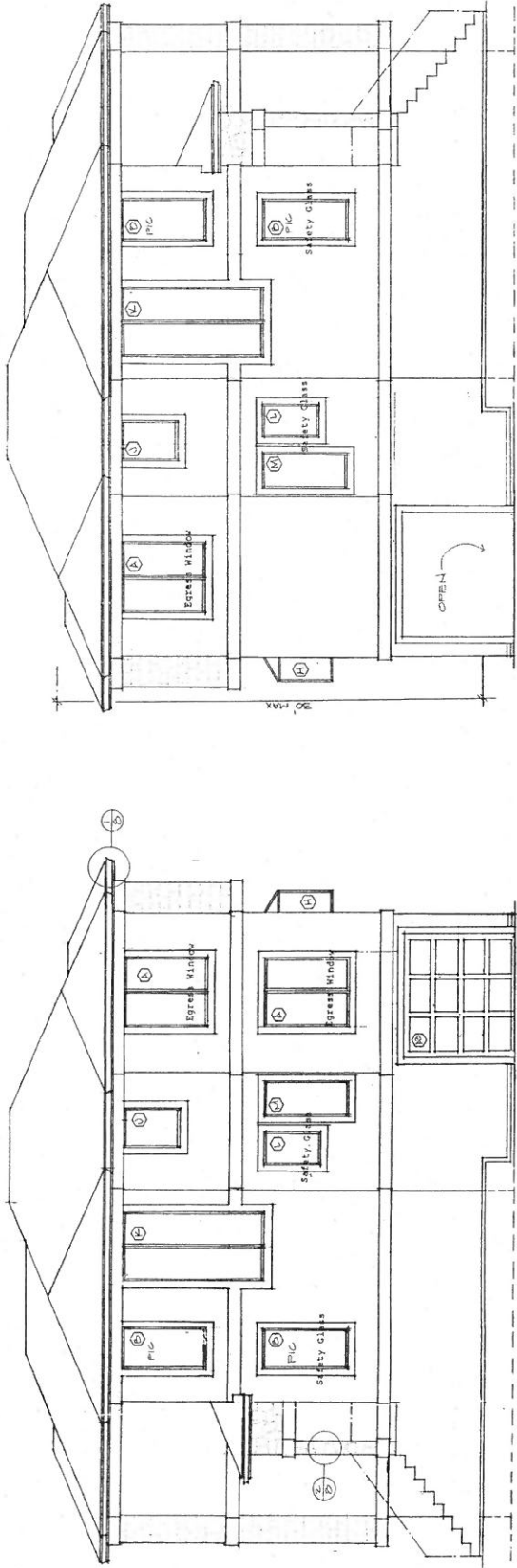
[illegible]

SCALE 1/4" = 1'-0"
SCALE 10' = 1"

CAPELOUTO CONSTRUCTION
571 SE Andrews Street,
Issaquah WA 98027
18503 NW Montoux Drive, Issaquah
CAPLOUTO CONSTRUCTION

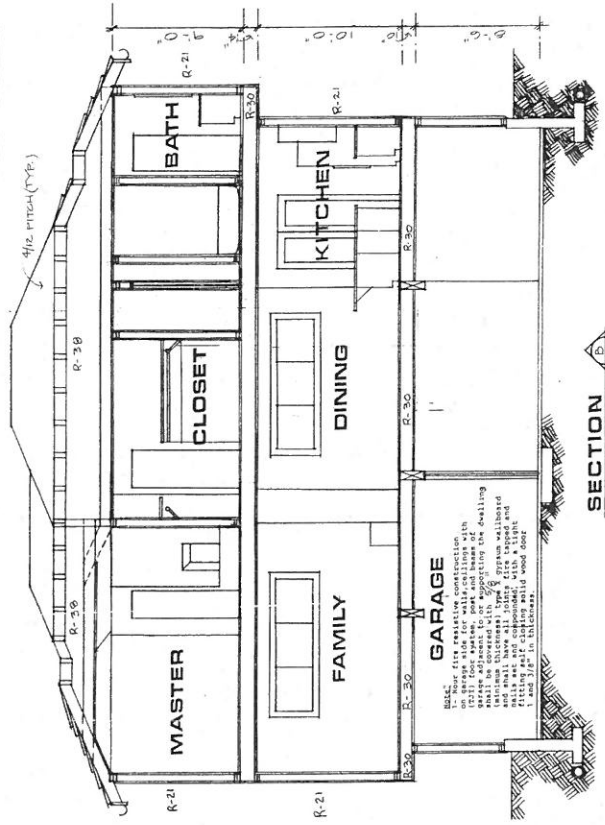
ORIGINAL DESIGN AND DRAWINGS BY
NELSON A NELSON FOR OWNER
CAPELOUTO CONSTRUCTION FOR
PHASE ONE ON THE ADJOINING SITE
ATELIER / ARCHITECTURE

VERIFY ALL DIMENSIONS
ON SITE. ALL DIMENSIONS
SHOWN ON THIS SHEET
TAKE PRECEDENCE OVER SCALED.

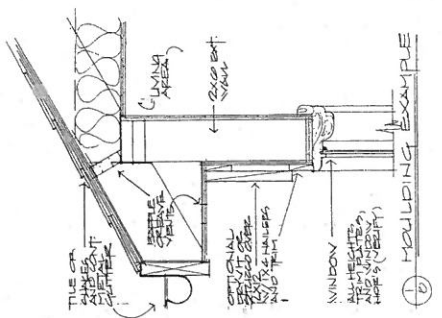
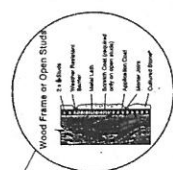


LEFT ELEVATION

RIGHT ELEVATION



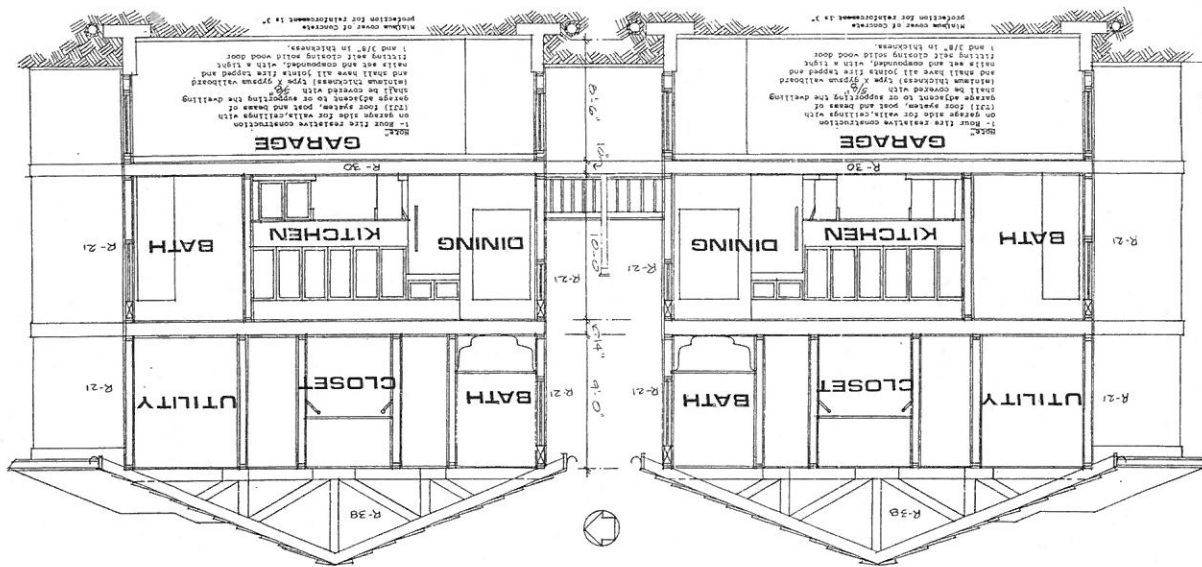
SECTION



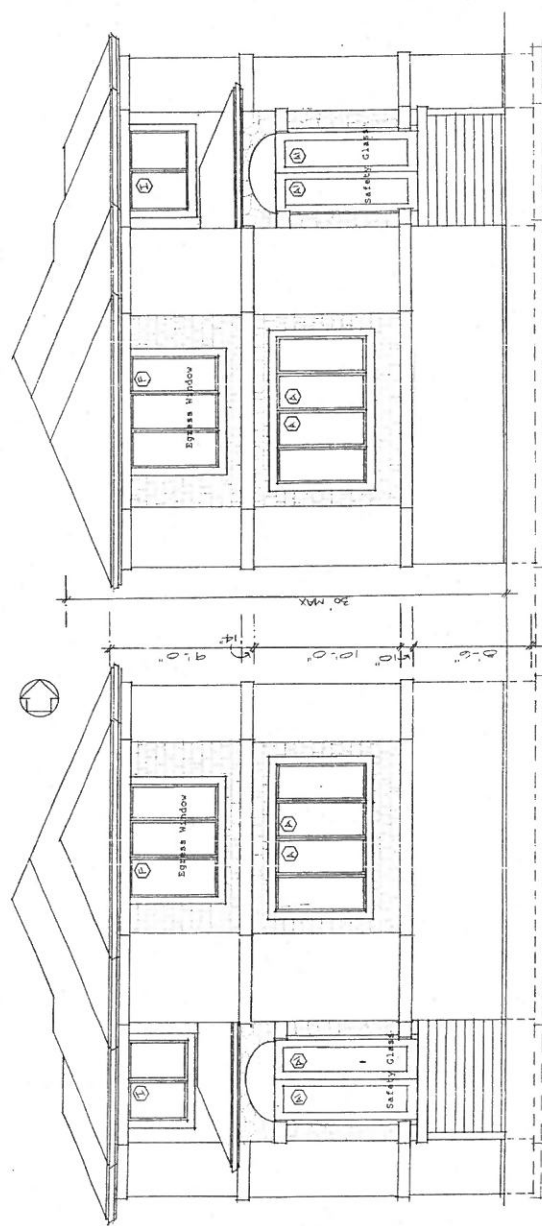
RECOMMEND THAT REAR & PLUMBING RUN BE VERIFIED BY SUPPLIER BEFORE PROCEEDING.

ELEVATIONS / SECTIONS

PLYWOOD OR OSB
SPOOF 1/2" T&G 24/16 Nail 8D 12" field 6" at edge



FRONT ELEVATION



BEAR ELEVATION

